

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Naji Atef Johnson Jr.

Docket No. 5:23-CR-93-1BO

Petition for Action on Supervised Release

COMES NOW Hector Gutierrez, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Naji Atef Johnson Jr., who, upon an earlier plea of guilty to Counts 1 and 2- Wire Fraud, in violation of 18 U.S.C. § 1343, was sentenced by the Honorable Terrence W. Boyle, United States District Judge, on September 6, 2023, to the custody of the Bureau of Prisons for a term of 10 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. Naji Atef Johnson Jr. was released from custody on January 4, 2024, at which time the term of supervised release commenced.

On March 1, 2024, a Petition for Action on Supervised Release was submitted to the court as a result of the defendant testing positive for marijuana. At that time, the court approved a modification of the defendant's conditions to include a drug aftercare condition. On March 18, 2024, a Violation Report was submitted to the court advising the defendant had committed the offense of No Operator's License. At that time, it was recommended that the defendant's supervision be continued without modification. On April 19, 2024, a Petition for Action on Supervised Release was submitted to the court as a result of the defendant committing the offenses of Driving While License Revoked-Not Impaired Revocation and Driving While License Revoked-Impaired Revocation. At that time, the court approved a modification of the defendant's conditions to include completion of 24 hours of community service within 60 days.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On March 12, 2024, the defendant was referred for a substance abuse assessment. As of this date, the defendant has not yet completed the assessment as instructed. On April 17, 2024, the defendant submitted a urinalysis which returned positive for marijuana. When confronted with the result of the urinalysis, the defendant admitted to using marijuana. As a sanction for this conduct and to deter future drug use, we would respectfully recommend that his supervision be modified to include 90 days of home detention with RF monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to him residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Supervising U.S. Probation Officer

/s/ Hector Gutierrez
Hector Gutierrez
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2534
Executed On: April 30, 2024

ORDER OF THE COURT

Considered and ordered this 30 day of April, 2024, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
United States District Judge